Law Offices of George N. Proios, PLLC Attorneys for Plaintiff STELIOS B MARITIME CO. 1350 Broadway, Suite 1507 New York, New York 10018

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK STELIOS B MARITIME CO.,

USDC SDNY DOCUMENT ELECTRONICALLY FILED DATE FILED: (

Plaintiff.

- against -

ECF CASE

HAWKNET LTD.,

08 Civ. 3743 (DAB)

Defendant.

## EX PARTE ORDER FOR PROCESS OF MARITIME ATTACHMENT AND GARNISHMENT

WHEREAS, on April 21, 2008, plaintiff, STELIOS B MARITIME CO., ("STELIOS B"), filed the Verified Complaint herein for damages amounting to \$ 628,384.46 inclusive of interest, costs, and reasonable attorneys' fees, and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules and Civil Procedure, and

WHEREAS, the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of Defendant's tangible and intangible property within the District of this Court, and

WHEREAS, the Court has reviewed the Verified Complaint and Plaintiff's Rule B(1) Affirmation and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

**ORDERED**, that Process of Maritime Attachment and Garnishment shall issue against all tangible and intangible property of Defendant in this District, and if such property cannot be found, against other tangible or intangible property, credit and effects, claimed by or being held for the Defendant by any garnishees within this District, including the garnishees listed in Attachment "A" to the Process of Maritime Attachment and Garnishment and/or any other garnishee(s) on whom a copy of the Ex Parte Order for Process of Attachment and Garnishment in an amount up to and including \$628,384.46 pursuant to Supplemental Admiralty Rule B; and it is further

**ORDERED**, that any person claiming an interest in the property attached or garnished pursuant to said Order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

**ORDERED,** that supplemental process enforcing the Court's Ex Parte Order for Process of Maritime Attachment and Garnishment may be issued by the Clerk upon application of the plaintiff without further Order of the Court; and it is further

**ORDERED**, that a copy of this Ex Parte Order be attached to and served with said Process of Maritime Attachment and Garnishment; and it is further

**ORDERED**, that following initial service upon any garnishee by the United States Marshal or any other person designated by Order to make service in this action, supplemental service of the Process of Maritime Attachment and Garnishment may thereafter be made by way of facsimile transmission or other verifiable electronic means, including e-mail, to each garnishee so personally served; and it is further

**ORDERED**, that service on any garnishee herein is deemed to be effective and

continuous service throughout the remainder of the day upon which such service is made, commencing from the time of such service through the close of the garnishee's business the next business day.

Dated: New York, New York April **21**, 2008

SO ORDERED:

Delorah a. Batte

## **ATTACHMENT "A"**

Citibank 399 Park Avenue New York, NY 10022

Bank of America c/o Zeichner, Ellman & Krause LLP 575 Lexington Avenue New York, NY 10002

Bank of New York 1 Wall Street New York, NY 10286

JP Morgan Chase Bank One Chase Manhattan Plaza New York, NY

HSBC (USA) 120 Broadway New York, NY

Wachovia Bank 360 Madison Avenue New York, NY 10017

Barclay's Bank 200 Park Avenue New York, NY 10166

Standard Chartered Bank 1 Madison Avenue New York, NY 10010

Deutsche Bank 60 Wall Street New York, NY 10006

Fortis Bank 520 Madison Avenue New York, NY 10022

**UBS** 299 Park Avenue New York, NY 10171